

CHAPTER 4-25 SEED SALES REGULATIONS

4-25-01. Definition of agricultural seed. In this chapter unless the context otherwise requires, the term "agricultural seed" includes seeds of grass, forage, cereals, fiber, and oil crops, and any other kinds of seeds commonly recognized within this state as agricultural or field seeds and mixtures of these seeds for planting purposes.

4-25-02. Prohibitions.

1. A person in this state may not accept full or partial payment in connection with the sale of any agricultural seeds to be delivered to the buyer at a later date, unless each transaction is accompanied by a written sales agreement or contract that contains the following provisions:
 - a. The date and place of the transaction.
 - b. The signature and address of the buyer and the seller or the agent acting for the seller.
 - c. The number of units and the price per unit.
 - d. The total value of the transaction.
 - e. The total amount of the full or partial payment made to the seller by the buyer.
 - f. The kind and variety of seed for wheat, durum, barley, oats, rye, flax, soybeans, field pea, and edible beans.
 - g. The class of the seed to be delivered, and if the seed is not certified, then the minimum germination and seed purity percentages must be stated. If the seed is certified, the words "breeders", "foundation", "registered", or "certified", as the case may be, must be shown.
 - h. The date of delivery or the latest date at which delivery is to be made.
 - i. The place of delivery.
2. Any provision in any written order or contract, which is contrary to any of the provisions of this section hereby is declared to be against public policy and void.

4-25-03. Penalty. Any person violating section 4-25-02 is guilty of a class B misdemeanor.

4-25-04. Nonresident seed dealer license. Any nonresident person engaged in the business in selling agricultural seed directly to the consumer in this state shall submit an annual application for a nonresident seed dealer license and submit an annual license fee, in an amount determined by the commission, to the state seed commissioner. A list of agents representing the nonresident company in this state must accompany the application.

4-25-05. Grain standards. Repealed by S.L. 1979, ch. 95, § 6.